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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States Parties due in 1992

Addendum

NICARAGUA

[12 January 1994]

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* Available for consultation in the files of the Centre for Human Rights.

Introduction

1. The democratic election of Mrs. Violeta de Chamorro as President of the Republic, along with the World Summit for Children (1990), which affirmed children's rights, were two very important events in one and the same year, for both the children and the people of Nicaragua. They are landmarks, a commitment for all Nicaraguans to the task of providing genuine protection, training and development for our children and adolescents, and above all for more than 600,000 who are still living in especially difficult circumstances.

2. Nicaraguan children and adolescents, and the Nicaraguan family in general, have experienced such harsh changes in recent years that their prospects have become uncertain. They stand in need of a ray of hope in the shape of unity between all sectors - especially unity between the organizations and agencies working for children and adolescents - so as to engage in action which will rescue them from danger, ignorance and poverty and thus gradually bring back self-esteem, proper education, training and leisure and, day by day, build up the Nicaragua of the future.

3. Before embarking on an examination of the situation of our children and adolescents, we should bear in mind the underlying social and personal realities, the family unit and society, in the light of social, economic and political events over the past 25 years.

4. Children in the countryside and in the towns and cities who are now 6 years of age were born in very tense situations in the midst of great poverty and many constraints, and of an internal war which bore the hallmarks of foreign intervention. Children who were born 12 years ago have experienced very sharp changes in their lives, both the changes of 1979 and those of 1990, and this will undoubtedly shape their attitudes and conduct in the years ahead. Adolescents who are now 16 years of age experienced in their early years the terror of war and their personality was influenced by violence, fear, hatred and vengeance. Young people who are now 18 years of age suffered greater changes and tension and perhaps saw the anguish of parents and brothers who had to go into exile, to flee, to fight or perhaps die when 16-year old adolescents were recruited into the Patriotic Military Service or the Armed Resistance (CONTRA) during the war. Thousands in the rural areas affected by the armed conflict never had an opportunity to play and to live as children. The ones aged 16 or more had to go off and fight in the war, or again, they suffered the effects of the earthquake which destroyed the capital in 1972 and so they became victims - in addition - of a disaster that left many families without homes and without work. Indeed, the whole of the country was affected.

5. This history does not augur well for the balanced development of children and adolescents. We know that young parents and their children are facing not only these consequences and the present economic situation but also a profound crisis in values and standards that points towards an entirely different society. This generation of children and adolescents has known different kinds of Governments, from dictatorial to paternalist Governments. Now we are faced on the world front with another system based on democracy and social participation in what some call a "market", and others call a "neo-liberal", economy.

6. Regardless of these difficulties, we believe that children should play an active part in building democracy. They should not be allowed to stand by passively. Their participation is designed to fulfil the principles set out in the Convention on the Rights of the Child, which must be publicized so that they are well known and put into practice.

7. The challenge to all Nicaraguans, headed by President Violeta de Chamorro, is to raise the country from economic and social collapse, in a polarized political situation in which reconciliation, work and the unity of all sectors alone can succeed. It is our children who will, in the short, medium and long term, benefit from this endeavour.

Government action

8. The sorry and increasingly alarming prospects for Nicaraguan children are yet another window onto the poverty and injustice to which various types of Governments and international interventionist policies have subjected our country, like so many others in the area.

9. The problems Nicaragua has faced since 1990, the point of departure for this report and one which coincides with the start of Mrs. Violeta de Chamorro's Government, have been numerous, with all the consequences encountered in the post-war period: galloping inflation, the world's highest external debt, the surrender of weapons, a big shortfall in tax revenue, the incorporation of the demobilized population in production activities, obsolete equipment for industrial production, the problem of ownership, the safety problem, the political polarization, the continual violent and unexpected strikes, apart from the cholera epidemic, a volcanic eruption, a tidal wave, the withdrawal of financial aid by the United States and a certain national and regional disadvantage in the prices of some agro-export products.

10. All these problems affect children, for if their parents, who are the first to be responsible for protecting them and bringing them up, do not have a job and the State and the community cannot afford to provide basic support, they will all grow up in very critical situations which will create difficulties for peaceful coexistence and the proper maintenance of democracy, peace and social justice.

11. Mrs. Violeta de Chamorro's Government has established suitable ministries and agencies to deal with these problems and secure economic and social recovery. Major successes have been achieved on the economic, monetary and financial fronts. Many others are undoubtedly needed on the social side and are already taking shape.

12. In 1990, Presidential Decree No. 51-90 specifically established the National Commission for the Protection of Nicaraguan Children, which is intended as a follow-up to the Convention and to coordinate, promote and regulate activities in connection with children and adolescents. The Commission is headed by the President of the Republic and consists of representatives of the Ministry of Health, Ministry of Education, Ministry of Foreign Affairs, Ministry of Internal Affairs and the Sports Institute,

Cultural Institute, the Water Supply Institute and the Social Security and Welfare Institute. The Commission drew up the Five-Year Plan of Action (1991-1996), which sets out the underlying philosophy and aims and exhaustively describes the activities to be carried out by the various ministries and institutes. A separate volume sets out the programmes which place priority on children living in specially difficult circumstances and are intended to obtain funding and technical support.

13. The Five-Year Plan of Action was subsequently included in the document entitled "Human Development, Children and Young People", an item discussed at the XIth Central American Presidential Summit Meeting, held in Tegucigalpa, Honduras, on 12-13 December 1991. Both the President of the Republic, through the National Commission for the Protection of Nicaraguan Children, and the Cabinet Office, through the various ministries and government agencies, have supervised and coordinated the activities involved in these documents, which form the substance of this report.

14. By and large, we believe that, in so far as social, economic and family matters stabilize, the situation of children and of the family will improve, thus bringing down the current quite alarming human development indicators.

15. All the agencies consulted provided the relevant information without any restrictions.

16. The National Assembly, through the Commission for Children, Juveniles, Women and the Family, has sponsored major changes in some laws on sexual abuse of children and women, and is engaged in a comprehensive examination of the various laws affecting children and adolescents, to make sure that they are in keeping with the terms of the Convention.

Activities by non-governmental organizations (NGOs)

17. At the present time, there are two kinds of organizations working with children: those working as placement centres, which are private or religious in character (21), and those working in open systems, in other words, chiefly with "street children" (22). The latter have, for close on a year, been included in the Nicaraguan Coordination Body for Non-Governmental Organizations Assisting Children.

18. The focus of the NGO's work is direct care for children and adolescents, and studies on the topic and on various systems of education, research and publicity.

19. The Coordination Body has close ties with the National Commission for the Protection of Children and this has made it easier to coordinate and carry out various overall plans and events.

Something more than a report

20. It is in our interest for this to be something more than a report, in other words, for it to serve as a document and also as food for thought to take more concrete action in regard to children. Our objective is to offer the people interested in this matter all possible legal documentation, as well as Government and non-governmental initiatives and suitable indicators on action opportunities to achieve the prime aim of the Convention: "Children First".

I. DEFINITION AND PRESENT SITUATION OF CHILDREN IN NICARAGUA

A. Laws and regulations

21. Nicaragua's laws do not speak of children or adolescents. They speak of "minors", thus using a term that is juridical rather than human.

22. The 1931 Civil Code (CC) establishes that Nicaraguans attain their majority at 21 years of age. The 1987 Constitution recognizes citizenship at 16 years of age. The 1944 Labour Code (CT), as amended, regulates employment matters from the age of 12 onwards. Under the 1973 Protection of Minors Act (LTM), as amended in 1979, "minor" means anyone who has not reached the age of 15. Furthermore, Nicaragua is a signatory to the Convention on the Rights of the Child, which stipulates that a child is anyone under the age of 18 (see annex I).

23. From the sociological, and even educational standpoint, a "child" and an "adolescent" need to be defined anew in Nicaraguan law for a better understanding of a child or adolescent's rights and obligations.

24. As a result of the Convention on the Rights of the Child (CRC), in 1990, the world has become more aware of this matter, and the term "minor" has been greatly questioned, since it seems derogatory, class-conscious, unjust and inhuman. It should be gradually replaced in our everyday language and in all legal, social and teaching material by the words "child" (0-12) and "adolescent" (13-18).

25. Two years after the Convention, of which Nicaragua is signatory, the law still applies the idea that a child is to be treated as such until he or she is 16 years of age, whereas the Convention on the Rights of the Child establishes the age as 18.

26. Both the National Commission for the Protection of Nicaraguan Children, the National Assembly and the Nicaraguan Coordination Body for Non-Governmental Organizations Assisting Children, are now studying the introduction of changes to several laws which concern children, so as to include the age factor, among other changes intended to be of help to children and adolescents.

27. Nicaragua has and will, until the beginning of the next century, have a very young population, in other words, 40 per cent will be about 15 years of age. At the present time, it is estimated that 46 per cent of the population is up to 14 years of age and that the average age of the population is 16.

B. Legal and medical counselling by the parents

28. Our laws say that the State must look after minors by protective, preventive or remedial action and they regard a minor, or child or adolescent, as "... anyone who has not reached 15 years of age ..." (see annex I).

29. Although no bill has yet been submitted to the National Assembly to amend the Protection of Minors Act, on the initiative of the Assembly's Commission for Children, Juveniles, Women and the Family and with the agreement of governmental and non-governmental organizations, some laws to help children have been changed, thus meeting the wishes expressed by Heads of State in the Convention.

30. As to rape and other sexual assault, the Penal Code was amended by Act No. 150 of 11 June 1992 and, in view of the high incidence of this type of offence, particularly against children, very harsh penalties are stipulated.

31. Again, in the spirit of article 19 of the Convention, on 18 February 1992 the Legislative Assembly issued Act No. 143, the Maintenance Act, which establishes the duty to provide and receive maintenance in the family unit. Maintenance is taken to mean: food, medical care in the broad sense, clothing, education, and so on. The Act covers all of the administrative issues and protects the children and the family, chiefly to make sure that they receive an education and are brought up properly.

32. At the present time, the Nicaraguan Social Security and Welfare Institute (INSSBI), pursuant to article 27, paragraph 4, of the Convention and article 73 of Labour Code, stipulates administrative payment of maintenance so that parents will promptly cover the needs of children for whom, for any reason, they have not taken on responsibility. At the present time, INSSBI, on the instructions of the President of the Republic and with the support of UNDP, the Konrad Adenauer Foundation and the Governments of Spain and Mexico, is modernizing its services. This means transforming social security into a social welfare system, in order to foster human development.

33. Children, adolescents and the family hold a very important place in human development activities and will continue to do so in all efforts both by the Governments and by non-governmental organizations to assist children, with the support of private development agencies and of countries acting in solidarity with Nicaragua.

34. The report on INSSBI's case-load up to the third quarter of 1992 is set out below as an example of what this State agency is doing in this field.

REPUBLIC OF NICARAGUA

NICARAGUAN SOCIAL SECURITY AND WELFARE INSTITUTE

EVALUATION UP TO THE THIRD QUARTER OF 1992

INDICATORS	PLAN	EXECUTED	% COMPLETED
A. PSYCHO-SOCIAL PROBLEMS			
Cases covered	4 374	2 211	51
Cases resolved	-	1 593	
Cases pending		865	
B. WAR ORPHANS			
Orphans in receipt of a pension		16 308	
C. FAMILY PROTECTION			
Pension applications	8 937	4 206	52
Pension granted		2 927	
Children beneficiaries		5 368	
D. FAMILY COUNSELLING			
Husband/wife conflict	1 701	987	58
Family conflict	4 630	3 482	75
Grievance of minor		1 535	
Mother-father-child relationship		853	
Other		1 094	
Minors involved		6 336	

C. Purpose of compulsory schooling

35. Basic education is compulsory and free for all minors up to the end of the primary level. Parents, employers or other persons with responsibility for children who place obstacles in the way of basic education incur penalties (see annex I).

36. The purpose of education in Nicaragua is: to contribute to the development of the physical and mental potential of students and to provide them with basic scientific and humanistic training that is oriented towards work activity, encourages young people to acquire an appreciation of the world and of its values, develops their self-assurance, ensures that they are properly integrated into society and gives them suitable preparation for

choosing and pursuing higher studies. These objectives must also place emphasis on the creation of values contributing to conscious participation in the transformation of the social environment of young people on the basis of a knowledge of the national situation and its relation to the world at large and of the men and women who have made a distinguished contribution to the development of humankind.

37. These values are strengthened by love of country, shown by respect for national symbols, conservation and development and rational use of natural resources. The purpose of education in Nicaragua is also to ensure respect for human rights and recognition of the rights of the child, as well as the use of language as a means of enriching the human personality at the affective, cognitive, ethical and aesthetic levels, all of which contributes to the organization of and communication within society.

38. The imparting of academic knowledge must be combined with discipline, shown by responsible learning and individual and group work, cooperation, mutual respect, organization and rational use of time and individual and public ownership of property.

39. The Ministry of Education operates a bilingual education programme for the communities where indigenous languages are spoken.

40. Education faces a number of different problems: the poor condition of school buildings, curriculum content, scholastic performance, dropping-out, teachers' salaries, practical studies, instability caused by strikes and the inadequacy of the resources available to the Government for coping with the high cost of education. The last-mentioned problem has reached the point where it has become necessary to ask parents to make a modest contribution themselves, the problem becoming critical where the parents are very poor and cannot afford this, especially when they have several children of school age.

41. The course of action decided upon in the field of education has been implemented in the manner indicated below.

42. The coverage of education at the preschool level has been increased, rising from 51.9 per cent in 1990 to 61.4 per cent in 1992, which, in absolute terms, means an increase in enrolment from 63,200 (1990) to 78,800 (1992). It should be noted that this increase was primarily the rural areas and poorer urban areas.

43. In order to improve the quality of preschool education, teaching manuals for each of the three levels have been prepared and a total of 1,314 persons have received training as method workers, regular teachers and voluntary teachers.

44. Basic general education has expanded considerably, the coverage increasing from 76 per cent in 1990 to 81 per cent in 1992. In absolute terms this has meant an increase of 42,841 in enrolment.

45. In view of the critical impact of the first two grades on the educational capability of students, the policy was adopted of appointing the best qualified teachers to the first and second grades of primary schooling. As a result, the highest level of retention of pupils has been in these grades.

46. Automatic promotion from the first to second grade has been introduced in order to reduce the drop-out rate. In 1992, 20 per cent of the pupils who failed in the first grade were promoted to second grade.

47. A total of 3,330 teachers have been trained (1,500 for teaching in grades 1 to 3, 1,200 for multigrade schools and 630 for physical education classes) thus initiating a strengthening of the quality of education.

48. In 1992, the enrolment in day secondary education classes was 127,454 and in secondary evening classes 54,300. At these levels there is no great incidence of grade repeating. The main problem is dropping-out (a drop-out rate of 17 per cent for day school and 47 per cent for evening school). During the period 1990-1992 the annual rate of increase was 10 per cent for day schooling and 4.3 per cent for evening schooling, which is considered to be a suitable coverage.

49. Some aspects of the adult education programme revealed a rather limited achievement. These include literacy training (-8.6 per cent) and basic general education (-32 per cent). However, accelerated primary classes for adults and secondary distance education showed increases of 22 per cent and 6.5 per cent, respectively.

50. The coverage at the different levels was as follows:

COVERAGE OF EDUCATIONAL SERVICES

PROGRAMME	1990	1992	INCREASE
Special education	2 416	3 844	42.55 per cent
Preschool education	63 200	78 800	24.68 per cent
Primary education	632 882	703 854	11.21 per cent
Secondary education	151 959	181 754	19.63 per cent

51. The following measures have been taken to improve the quality of education:

(a) A programme has been carried out that aims to associate parents with the work and activities of educational centres and involve them in educational issues in order to achieve higher rates of attendance and scholastic progress;

(b) Another plan aims to improve the curricula. Improved curriculum documents will be available in 1993 for primary and secondary schooling and for teacher training;

(c) New textbooks for the main subjects have been introduced in all the primary and secondary schools, but it will be necessary to adopt a long-term textbook policy that takes account of the educational objectives at every level.

52. In 1992, 147 schools were renovated with external financing provided through the Social Investment Fund. One hundred and twenty-three classrooms were repaired and 80 were built with the support of municipal administrations. The shortage of school desks was reduced with the supply, in coordination with the Social Investment Fund, of a nationwide total of 137,640 desks. Approximately 180,000 are still needed.

53. As regards the renovation of the school infrastructure, a survey of the needs in the public primary schools sector has been carried out and this will be used as the basis for the Ministry of Education to prepare an investment programme for 1993.

54. To improve overall administration of the educational sector, the Ministry of Education has launched a decentralization programme that will involve reorganization of the existing structure.

55. In order to achieve greater efficiency and avoid bureaucratic duplication of effort, the regional offices have been eliminated and a policy of reducing the number of non-teaching personnel has been initiated and of engaging suitably qualified experts at the central level.

56. An information management system is being introduced that will make it possible to follow the flows of students, human resources and educational facilities. There are at present systems covering:

(a) Basic statistics;

(b) Academic performance;

(c) Siting and condition of education centres;

(d) Municipal education payroll;

(e) Income and expenditure.

There are currently 150,000 children of school age who are outside the educational system.

D. "Employment" situation

57. The Constitution of Nicaragua allows the employment of children provided it does not affect their educational development and provided they are not exposed to economic and social exploitation. The Labour Code prohibits night work by children under the age of 16 years, as well as work on compulsory

days of rest. Minors under the age of 18 may not be employed in industrial occupations, nor in shows for the public, theatres, circuses or any other type of entertainment activity that may endanger their health or their physical, intellectual or moral development (see annex I).

58. In the last five years or so Nicaragua has become one of the poorest countries of Latin America, and children and women are the most seriously affected.

59. Seventy per cent of the country's entire population are living in conditions of poverty. The situation is deteriorating far more rapidly in the Atlantic coast region, where the cost of living is at least 25 per cent higher than in the Pacific coast region.

60. The deteriorating situation of children in Nicaragua is not only due to the high unemployment rate of the economically active population. It is also reflected in levels of poverty that are due to a number of different factors: the effects of the war (1985-1990), the catastrophic economic situation inherited from the previous Government, the effects of the economic measures taken to balance the national economy, the fall in world prices of agro-export products, as well as the effects of natural phenomena such as tidal waves, a volcanic eruption and drought. All these factors have contributed to the country's absolute unemployment rate of 60 per cent. There has also been a substantial increase in underemployment, as well as a very marked rise in informal sector employment.

61. Many children and adolescents have developed various survival strategies by "working" in the informal sector, where they perform marginal subsistence activities for a small sum that in most cases is a substantial contribution to the livelihood of those with whom they live.

62. We believe that the institutional efforts being made are still somewhat scattered and that there is a need for focused efforts in favour of child workers. There has been no genuine diagnosis of the problem on the basis of which appropriate measures might be taken. Furthermore, because of limited budgetary resources, the Ministry of Labour is not able effectively to enforce the prohibitions laid down in the Labour Code.

63. We recognize and emphasize that such activities often create, for adolescents, situations of risk, crime and even prostitution.

64. Data collected by UNICEF from various governmental and private organizations show that, two years ago, Nicaragua had 112,000 child workers, of whom 20,000 were in urban areas and 13,000 of these in the capital. The number in rural areas was estimated at 92,000.

65. According to a study made in 1991 by the non-governmental organization INPRHU (Nicaraguan Institute of Human Development), "there are in Managua 14,737 children between the ages of 7 and 15 who are working in the streets, while, in the urban sector alone, there are 17,000 similar child workers at the national level". Another study, carried out with support from

UNICEF of Nicaragua, ("Menores en Circunstancias Especialmente Dificiles; Analisis de Situación"), states that 44 per cent of the minors who are working are doing so in the informal sector, only 5 per cent being employed in the formal sector. Twenty-four per cent are engaged in marginal activities. The same study states that 24 per cent of minors, principally those under the age of 13, perform domestic work in order to earn some kind of income (p. 53).

66. The following information is from work being done by the Nicaraguan Social Security and Welfare Institute (INSSBI) in some markets in Managua.

(a) Educational help is being provided for 548 children and adolescents by 10 street education workers. Most are peddlers;

(b) In the last year schooling has been arranged for 83 children and meals, including a glass of milk, have been provided for 275 children. A total of 192 children participated in recreational and cultural activities and 8 basketball teams and a dance group were organized. Of the total number of children and adolescents involved, 382 were workers and 25 were living in the streets. Seventy-four parents were persuaded to try to care for children and 44 local people were recruited to provide help to working children and adolescents.

E. Sexual consent

67. Although the biological, psychological and social development of adolescents leads them gradually to experiment with sexual activities, the law provides that they must be protected until the age of 14 years. In other words, even where a male or female adolescent has given consent, any sexual act that takes place is punishable as rape. An adolescent under the age of 18 who has sexual relations while under parental authority or in dependent status is also protected by the law.

68. In defining responsibilities in this difficult area, Nicaraguan legislation deals with the question of sexual abuse of minors mainly in the Criminal Code, which has recently been amended.

69. Rape is held to have occurred if the victim is under 14 years of age, statutory rape if the adolescent is over 12 and under 18, abduction if a child under 12 is involved, and the perpetrator is liable to imprisonment even if there is alleged to have been consent. The Criminal Code also states that anyone encouraging prostitution or corruption of minors is liable to imprisonment, the gravity of the offence being determined by the circumstances in which it took place.

70. The Protection of Minors Act states that, when inquiries confirm that an adult has abused a minor, the Director for the Protection of Minors is authorized to have the adult arrested and tried by an ordinary court. The Mother, Father and Child Relations Act also provides that when a child is abused, or his or her physical integrity is threatened, the child may be removed from the family.

71. The increasing number of girls and adolescents who make a living by selling and begging in the streets and markets are especially vulnerable to abuse and sexual exploitation by adults who take advantage of the helplessness and poverty of minors. Sexual abuse is clearly something that takes place both within and outside the family and affects both boys and girls, the latter being the most frequent victims of this type of abuse. In all cases, violence or deception is used and advantage is taken of the child's ingenuousness, immaturity, inexperience and unprotected situation in order to abuse the child, when he or she is just beginning to have sexual instincts and is not yet sure how to behave.

72. The State has made acknowledged progress in legislation, but more conclusive evidence of enforcement of the law is needed. Matters relating to sexuality are not easily dealt with in the case of children and it is not always possible for them to obtain or to verify information on the subject owing to the lack of sexual education. Children are afraid to talk about the subject and in some cases they do not always tell the truth.

73. The separation of children from their parents, the presence of a stepfather or other adult relative in the home, as well as poverty, are factors that increase the vulnerability of children and adolescents exposed to sexual abuse, because a high percentage of women heads of household have to leave their children unprotected in order to go out to seek food for them.

74. The consequences of sexual abuse are more evident when the child victim is approaching adulthood. Both males and females show feelings of guilt, low self-esteem and depression which affect their ability to become socially integrated and to establish satisfactory relations as couples later on.

75. The National Police, responding to a questionnaire prepared for the purpose of this report, provided the following information on sexual abuse of minors in the last two years. In 1991 rape of minors constituted 18.5 per cent of the total number of rapes, whereas in 1992 it accounted for 17.8 per cent. These figures are for the national total of offences and not to the total for the young population. It is worth pointing out that the police figures do not reflect the real situation, inasmuch as many rapes are not reported.

76. As regards the place in which rape occurs, it is reported that the greatest number of these offences (51.2 per cent) are committed on the public highway, although the percentage taking place in homes is also high (35.5 per cent), which suggests that many of these abuses are committed by relatives or close friends.

77. A survey by the National Commission for the Protection of Nicaraguan Children of reports during a typical month (October 1992) in the newspapers Barricada, Nuevo Diario and La Prensa provided the following statistical information relating to sexual abuse:

I. TYPE OF OFFENCE:

Rape	8
Abduction	1
Statutory rape	1
Total	10

II. PERPETRATOR:

Unknown	4
Friend	3
Relative	2
Stepfather	1

III. VICTIMS: All minors

IV. AGE:

7 years	2
8 years	1
12 years	1
13 years	4
14 years	1
16 years	1

V. DEPARTMENT:

Managua	6
Bocana de Paiwas	1
San Ramón, Mtgp.	1
Nandasmo, Mya.	1
Chinandega	1

VI. PLACE:

Home	5
Street	5

ASSAULT ON CHILDREN DURING 1991 (10)

Region III	317
Region IV	175
Region II	141
Region V	88
Region I	69
Southern Atlantic region	40

F. Marriage

78. Under the Civil Code a man over 15 years of age and a woman over 14 may marry without the authorization of their parents or guardians. The State protects matrimony and stable common-law marriage, which are based on mutual consent by a man and a woman and may be dissolved by mutual or if one of the parties so wishes (see annex I).

79. There is a lack of proper guidance for youth, not only the legal and moral aspects of marriage, but also on the inherent responsibilities of marriage as regards lifestyle, managing domestic budget, family planning and sexual education, mutual tolerance and the capacity to love, all of which are factors that affect every household, particularly the youngest.

80. Over the past decade society has undergone a process of disintegration, partly attributable to social instability caused by the war, migrations and the economic crisis, all of which weakened family ties by causing endless moves and separations. The 25,000 families who each year require assistance with jobs, housing, health and other services are currently in a truly critical situation, with considerable risks for the children born in the years to come.

81. At present one third of adolescent girls between 15 and 19 have had a partner, most of them in common-law marriages. Surveys carried out by UNICEF have revealed that 59 per cent of minors wish to marry and to have children when they are adults, while 4 per cent wish to marry but not to have children and a similar percentage wish neither to marry nor to have children. A total of 33 per cent of children had no expectation of living in the future to form a couple with someone else; this is linked to the instability and insecurity encountered by children in their own family. Only three children said they intended to have children but not to marry.

82. The Legal Advice Office on Children's Rights of the National Commission for the Protection of Nicaraguan Children conducted a survey at the municipal civil records office in Managua to determine the number of marriages registered between persons under 21, which yielded the following results.

MARRIAGES BETWEEN MINORS REGISTERED AT THE CIVIL RECORDS OFFICE

MANAGUA, JANUARY-DECEMBER 1991

AGE	MALE	FEMALE	TOTAL BY AGE
13		6	6
14	2	20	22
15	3	76	79
16	20	128	148
17	65	168	233
18	75	67	142
19	134	65	199
20	173	41	214
21	52	28	80

G. Enlistment in the armed forces

83. The Constitution makes it the duty of citizens over 16 years of age to serve in the armed forces to defend their country (see annex I).

84. As soon as she took office, the President of the Republic, Mrs. Violeta de Chamorro suspended the Patriotic Military Service Act as from 25 April 1990.

85. The armed conflict in Nicaragua affected 240,000 minors, who were either wounded, lost one or both parents, were displaced, became refugees, were demobilized or were the children of demobilized soldiers and this had a devastating impact on their psychological development and social adaptation, overturning their scale of values and generating a conflict between their status as children and their experience.

86. Nicaragua's young people, who have suffered enormously as a result of the war and its aftermath, are striving to come to terms with their future, by setting aside weapons in favour of study and work.

H. Criminal liability, testimony in courts, deprivation of liberty and imprisonment

87. The Constitution stipulates that no minor may be subjected to any form of judicial process and that any minors who commit offences are to be placed in rehabilitation centres. It also stipulates that they may not be subjected to any form of cruel or degrading treatment.

88. The Protection of Minors Act sets the age limit for protection at 15. The Criminal Code exempts minors aged under 10 from criminal liability, as well as minors aged 10 to 15, unless it is proved that they acted knowingly.

89. This is a serious problem, which the Government of Nicaragua has not solved; its roots lie in our legislation, which is why government action in this regard cannot be supported through the administrative channel.

90. Children and adolescents who commit offences because they have had no proper family upbringing or education or do so at the instigation of adults are initially brought before the police. As neither the Ministry of the Interior nor the Nicaraguan Social Security and Welfare Institute has any centres in which they may be placed under observation or care, the police have no option but to return them to their parents, relatives or guardians, or simply to the street.

91. Minors aged 15 to 18 who should be entitled to legal protection under the Convention on the Rights of the Child are not in fact protected by the Protection of Minors Act and are sent directly to prison together with other delinquents of all kinds.

92. As regards alternatives, we would point out that this situation has provided an opportunity to begin introducing more modern legislation together with more suitable forms of care and treatment for young offenders. For example, we have developed non-custodial treatment for minor offenders and treatment in custodial guidance centres, run on extremely humane lines for serious juvenile offenders or those who require special care.

93. According to official figures provided by the Police to the National Commission for the Protection of Nicaraguan Children, in 1994 1.1 per cent of minors in custody were held for possession and consumption of drugs. In the same year 268 minors under 15 years of age were detained for criminal offences - 1.5 per cent of the total number of prisoners of all ages.

I. Consumption of alcohol and other controlled substances

94. The Protection of Minors Act vests broad powers in the Director of Juvenile Protection to intercede on behalf of a child or adolescent in this type of situation; it also provides means of acting against adults who induce children to consume controlled substances (see annex I).

95. In the last two years there has been a rapid rise in the use of drugs by children and adolescents. The most significant drugs are "glue", marijuana, cocaine and crack. It is extremely difficult for the authorities to control this situation, which is most acute in Nicaragua's Atlantic Coast region, where international drug trafficking unquestionably also has an impact on children and adolescents.

96. Child alcoholism and drug abuse are similar to adult alcoholism and drug abuse, although they are far more dramatic and iniquitous. A habit develops and leads to a process of joining certain groups, particularly groups of street children; it subsequently allows them to forget their problems, their pain, hunger and frustration. Some of them sniff glue to escape from reality and occasionally to steal or commit other offences typical of their environment in order to survive.

97. The extremely harmful consequences of drug abuse by children are apparent in particular in their lack of suitable training, some delayed development of mental faculties, learning difficulties, as well as poor health and self-respect. There have been a number of debates on the topic, which have ranged from the possibility of legal measures against the manufacturers of such substances to incorporating ingredients which induce rejection if the substances are improperly used.

98. As regards adults who sell such products with impunity to children and adolescents, it has been decided, in consultation with persons who deal with complaints and legal specialists, that one of the victims, or the parents of the children, must lodge a complaint and press charges to force the authorities to follow them up and impose a penalty or correct the situation; however, as the children are defenceless, or because their parents are in a similar situation, it is extremely difficult to press charges.

99. In the National Assembly, a Drug Control Commission is currently drafting a bill to introduce comprehensive regulations on activities involving controlled substances in conjunction with the bill on narcotics and psychotropic substances. According to the Assembly's Commission, these laws will be of benefit to children, particularly in terms of prevention and rehabilitation.

100. In 1991 the First Drug Control and Alcoholism Seminar was held. The Seminar, which was attended and supported by non-governmental and governmental organizations, received considerable backing and was one of the most significant meetings in this field.

101. UNICEF-coordinated joint research into drug consumption by governmental and non-governmental organizations found that 33 per cent of children and young people declared they were unaware of the harmful effects of habitual drug consumption on health; 21 per cent were aware of them and worried and 46 per cent were aware of the consequences but not particularly worried.

102. The police keep no records of drug consumption by under 15s. The records relating to minors aged 15 to 18 indicate that in 1992 1.1 per cent of either consumed or possessed drugs.

103. The following information provided by the police gives an indication of the present level of drug consumption:

> "During the period from September to December 1992 there was a total of 343 drug-related offences; 338 of them, i.e. 98.5 per cent, were cleared up.
>
> In comparison with the same period in 1991 there was an increase of 13.6 per cent, i.e. 41 offences, while the proportion of crimes solved was the same."

II. GENERAL PRINCIPLES

A. Non-discrimination

104. Article 23 of the Constitution states that the right to life is inviolable and inherent to the human person. More particularly, article 27 prohibits any form of discrimination on grounds of birth, nationality, political belief, race, sex, language, religion, opinion, origin, economic or social status, and guarantees everyone the right to equal protection (see annex II).

105. Although Nicaragua has signed the Convention on the Rights of the Child and the Universal Declaration of Human Rights, its population, like that of many other countries has a human and cultural burden that is reflected in social conduct inconsistent with those fine and humane principles; in practice, government officials, private enterprises, families, individuals, and even those sectors that claim to fulfil a spiritual mission manifest discriminatory attitudes.

106. As a result of a social history marked by unequal distribution of wealth, of treating discrimination as a matter for each individual's conscience and of the absence of legislation and resources to ensure proper enforcement of the law, many of these noble ideals call for economic growth and a suitable law enforcement infrastructure and the emergence of a new Nicaraguan citizen moulded not by words but by individual and community action based on ethics, social morality and burden-sharing.

107. For the reasons set out above, Nicaraguan women suffer from sexual discrimination from childhood, and their prospects in life are limited in terms of studies, work, freedom of movement and even their most vital and personal decisions.

108. Children who do not know their parents or who have been abandoned are frequently discriminated against at school. The same discrimination is common among the population at large, which speaks of them as "street children".

109. As a result of mistaken notions of education, discipline and authority, many children are discriminated against in the home, as well as physically and verbally abused and subjected to violence.

B. Best interests of the child

110. Article 3 of the Convention stipulates that States parties undertake to ensure the child such protection and care as is necessary for his or her well-being.

111. Article 76 of the Constitution requires the State to prepare programmes and develop special centres to care for children on the grounds that children are entitled to preventive, protective and educational measures. This is an obligation for families, society and the State (see annex II).

112. Over half of Nicaragua's population is made up of children and adolescents. This means that, when the country is in a serious economic crisis and undergoing a process of extensive institutional reorganization, children make the greatest sacrifice, not only because they are in the majority, but because they are more vulnerable, from birth and through out all stages of growing up.

113. The Government of Nicaragua has given priority in its plans and budgets to the Ministry of Health, by means of the Mother and Child Programme, and to the Ministry of Education, through basic education. Similarly, it is working to strengthen other institutions to assist adolescents, such as the National Technological Institute (INATEC), the Nicaraguan Sports Institute (IND) and in particular the social welfare system, which is currently being reorganized to shift its policy and services from social welfare to human development.

114. As part of the efforts to secure the highest interests of the child, President Violeta de Chamorro's Government has prepared the following documents:

(a) Five-Year Plan of Action (1991-1996) for Children;

(b) A report on its participation in the XIth Central American Presidential Summit Meeting, held in Honduras, on the topic of "Human Development, Children and Young People".

115. In legal matters, the Government is considering changes to the following Acts:

(a) Protection of Minors Act;

(b) Adoption Act;

(c) Mother, Father and Child Relations Act;

(d) Labour Code;

(e) Social Security Act.

116. In the non-governmental sphere it is important to mention the existence of numerous associations and foundations, including the Nicaraguan Human Development Institute (INPRHU), Dos Generaciones, Los Pipitos, Cantera, many of which are grouped within the Nicaraguan Coordination Body for Non-Governmental Organizations Assisting Children, which formulate programmes and carry out specific activities for children, and maintain links to ensure mutual support and coordination with other similar organizations in Central America.

C. Right to life, survival and development

117. This right, embodied in various articles of the Universal Declaration of Human Rights, is implicitly provided for by the Nicaraguan legal framework, as well as by specific laws relating to security of persons; however, the technical terms, survival and development, are related, rather, to sociological or economic aspects which can more appropriately be viewed in the context of other, more individual activities (see annex II).

118. With regard to the right to life, abortion is not permitted under Nicaraguan law: in accordance with article 162 of the Criminal Code, causing the death of a foetus in the womb or through an abortion is punishable by a prison term of three to six years, if the person concerned acts without the consent of the woman or if the latter is under 16 years of age, and by a prison term of one to four years if he acts with the woman's consent. Only abortion for therapeutic reasons is allowed by law, and a decision to abort requires the expert opinion of at least three doctors and the consent of the woman's spouse or closest relative.

119. The question of survival may be approached from the standpoint of the Maintenance Act, which addresses the concept of maternity and paternity, understood to mean the maintenance of the home and the all-round upbringing of children through joint efforts, with equal rights and responsibilities. There is also the Mother, Father and Child Relations Act, which spells out the parental function of protecting, bringing up, representing and caring for under-age children, as well as awareness of this responsibility by the mother and the father.

120. In addition, the Breast-feeding Act provides for educational activities to create broader awareness of the fact that breast-feeding during the first months of life is essential for the child. This Act empowers the Ministry of Health, through the National Commission for the Promotion of Breast-feeding, to plan, regulate and control such activities in coordination with the Ministry of Education.

121. The indicators regarding these three key aspects of the Convention are not very encouraging.

122. With regard to abortion, data supplied by the Ministry of Health and the Berta Calderón Hospital in Managua show that clandestine abortions are one of the major causes of maternal mortality, particularly among the very young.

123. With respect to survival, statistical data from the Nicaraguan Social Security and Welfare Institute (INSSBI) show that there has been a marked decline in coverage in terms of the capacity of existing facilities. The work of the non-governmental organizations normally focuses on specific studies or acts of solidarity and only seldom does it involve the provision of direct care to children, possibly because the organizations that fund the NGOs channel their attention and resources in this direction, often without understanding and adequately contributing in a participatory and horizontal way to the policies of people in the governmental and non-governmental sectors who live with the population and know their problems.

124. The Government of Nicaragua, with the support of the World Food Programme, is carrying out a broad-ranging programme of food support for children under the age of six who rate poorly in terms of food indicators or have significant nutritional problems. Another scheme that has been introduced is the school milk programme.

125. In this connection, mention should also be made of the efforts at modernization that have been made during these first two years by INSSBI, which, under a new concept of support for the most vulnerable members of society, is gearing its activities to human development aspects, particularly for the most impoverished segments of the population.

126. It should be recognized that the physical and mental development of each child is largely dependent on the country's social and economic development. Accordingly, in 1993, the Government of Nicaragua introduced a comprehensive programme of social action in support of the most vulnerable members of

society with a view to achieving integrated and self-sustained human development; the process entails a series of stages and commitments by the population so that each family of Nicaraguans gradually moves ahead and develops in keeping with its aspirations and possibilities.

Children in especially difficult circumstances

127. According to data from INSSBI, there are 675,700 children in especially difficult circumstances in Nicaragua, as detailed below:

Children coming under the survival strategy - 107,100

Street children - 1,100

Maltreated and abandoned children - 3,500

Institutionalized children - 1,600

Children in armed conflicts - 266,900

Children in natural and environmental disasters - 182,500

Children with specific social care needs - 113,000.

128. At the end of 1992, the INSSBI Planning Office established the following indicators: the provision of care to 38,087 girls and boys, constituting 5.65 per cent of all children in especially difficult circumstances, under the main headings of prevention, protection, re-education and rehabilitation, and community development.

129. Prevention is assured in community work through mass education promoted by volunteers and through diagnoses, forecasts and efforts to prepare the various segments of society to change their situation, as well as to sensitize, educate, guide, promote development and solve problems. These activities are carried out through community centres, preventive centres, rural care centres, the project for minors coming under survival strategies, day care homes and local social welfare centres, which together provide cover a total of 25,000 minors (see table).

NICARAGUAN SOCIAL SECURITY AND WELFARE INSTITUTE

NATIONAL CHILD CARE CENTRES

1992

INSTITUTIONAL CHILD CENTRES

CENTRES/DEPARTMENT		CAPACITY/CENTRES	CHILDREN IN CARE	NO. OF WORKERS	SPENDING BUDGET (C$)
Child Development Centres (CDIs)					
ESTELI	(2)	290	219	42	1 089 348.20
MADRIZ	(2)	160	117	19	1 073 865.68
NUEVA SEGOVIA	(2)	260	207	33	931 646.48
LEON	(3)	330	219	36	1 047 876.52
CHINANDEGA	(1)	80	45	6	199 031.60
MANAGUA	(9)	1 484	1 211	249	6 716 091.30
MASAYA	(1)	126	112	16	734 935.00
GRANADA	(1)	130	86	20	435 551.36
CARAZO	(3)	320	266	58	1 884 669.60
BOACO	(1)	60	48	13	25 749.12
MATAGALPA	(1)	124	97	21	545 528.52
JINOTEGA	(1)	100	82	20	462 243.00
RAAN	(1)	120	103	12	364 615.40
RAAS	(2)	160	88	23	504 159.00
RIO SAN JUAN	(1)	80	67	14	378 394.92
SUBTOTAL CDI		3 824	2 967	582	16 642 705.70
Rural Child Services (SIRs)					
NUEVA SEGOVIA	(1)	80	46	5	513 005.00
CHONTALES	(1)	80	125	2	305 631.16
MATAGALPA	(3)	600	350	14	682 021.04
JINOTEGA	(2)	200	243	10	537 862.32
SUBTOTAL SIR		960	764	31	2 038 519.52
Urban Children's Canteens (CIUs)					
ESTELI	(1)	350	234	1	393 727.64
NUEVA SEGOVIA	(1)	250	200	3	269 474.76
CHINANDEGA	(1)	150	132	1	139 030.24
CHONTALES	(2)	650	581	6	696 009.72
RAAN	(2)	350	233	9	664 285.00
SUBTOTAL CIU		1 750	1 380	20	2 162 527.36

CENTRES/DEPARTMENT		CAPACITY/CENTRES	CHILDREN IN CARE	NO. OF WORKERS	SPENDING BUDGET (C$)
Rural Children's Canteens (CIRs)					
ESTELI	(3)	1 100	730	5	970 002.88
MADRIZ	(19)	5 140	4 132	26	4 563 185.68
NUEVA SEGOVIA	(13)	3 520	2 906	20	3 364 198.60
CHINANDEGA	(3)	780	625	6	789 718.88
RIVAS	(1)	350	320	2	357 289.88
CHONTALES	(5)	1 000	609	8	869 882.80
MATAGALPA	(4)	800	452	8	590 288.84
JINOTEGA	(3)	300	517	6	741 006.00
RAAN	(7)	3 150	2 234	16	2 503 475.56
RIO SAN JUAN	(13)	4 440	3 033	22	4 470 618.60
SUBTOTAL CIR		20 580	15 558	119	19 219 667.72
Preventive Centres					
MADRIZ	(1)	220	177	8	501 337.08
NUEVA SEGOVIA	(2)	170	129	18	743 117.20
LEON	(1)	100	74	6	293 296.64
CHINANDEGA	(2)	160	78	8	443 172.56
MANAGUA	(2)	160	131	27	726 861.32
MASAYA	(1)	100	87	9	406 420.08
GRANADA	(1)	100	64	10	399 261.76
CARAZO	(2)	180	152	15	717 978.20
MATAGALPA	(1)	100	86	8	371 062.08
JINOTEGA	(1)	100	250	12	641 809.08
RAAN	(1)	100	83	6	267 561.04
RAAS	(1)	100	59	8	281 918.04
SUBTOTAL Preventive Centres		1 430	1 292	127	5 350 622.52
Protection Centres					
MANAGUA	(2)	172	175	188	3 935 615.24
Communal Centres					
MANAGUA	(3)	480	380	44	2 045 778.32
Re-education Centres					
MANAGUA	(1)	250	232	94	2 237 526.32
GRAND TOTAL		29 306	22 816	1 213	54 076 135.26

130. Protection is an area in which the family, the State and society actively promote programmes and projects involving child development centres (CDIs), rural child services (SIRs), minors in armed conflicts, substitute homes, and centres for institutionalized minors. A total of 12,838 children are covered.

131. The aim of re-education is to provide care to children between the ages of 7 and 15 who have behavioural problems. Education must be tailored to the type of child and activities must be capable of liberating the child both personally and in relation to the family. The scheme involves stimulating children by giving them school materials, clothing, etc., if they earn it by their conduct and efforts to overcome problems. Nationwide, a total of 250 children are receiving re-education.

132. In addition, campaigns to ensure respect for the rights of the child are being promoted in order to improve care for children in such circumstances. There is a pilot project providing training for children in survival strategies so that they themselves disseminate and promote their rights and ensure that adults observe them.

III. CIVIL RIGHTS AND FREEDOMS

A. Name, nationality and preservation of identity

133. In conformity with articles 7 and 8 of the Convention, the Nicaraguan Constitution contains the relevant articles to ensure that any child born of Nicaraguan parents, or abroad, including any child born in the national territory, acquires a name and Nicaraguan nationality. Nicaraguans always retain their nationality and identity (see annex III).

134. Nicaragua's civil registry is still very traditional and does not have all the instruments needed to register nationals efficiently. Added to this serious difficulty is the low level of civic consciousness among the population, particularly in the rural areas; citizens are unaware of or do not fully appreciate their high responsibilities and the problems with which their children will later be confronted if they have not been properly registered or been given different names.

135. In some places, particularly the capital, the hospitals and health centres cooperate in informing the civil registry of births by recording them on cards; however, since a new system of identification papers is being introduced in Nicaragua and for logistical reasons, we cannot say that this procedure covers the entire population.

136. Another important factor for our country relates to the period of the war. Many Nicaraguans moved from their place of origin to other regions of the country or even went abroad and, for personal reasons or because of their migratory status, failed to register their children.

B. Freedom of expression and access to appropriate information

137. Nicaragua currently enjoys unrestricted freedom of expression (see annex III).

138. Children have a wide variety of media allowing them to express themselves freely in Nicaragua, depending on their age and intellectual maturity. There are a number of radio programmes for children in which children themselves participate actively. There are also two very interesting and widely viewed television programmes, and the major newspapers publish a weekly section exclusively for children. There are also artistic media such as theatre groups and puppet shows which present thought-provoking messages and criticism in connection with the rights of the child. Such presentations attach great importance to solidarity among children and to environmental topics.

139. To ensure that the majority of children and adolescents have access to appropriate information, it is necessary to launch a broad, accelerated education programme, as well as to reduce the high rate of parental illiteracy by equipping schools and municipalities with libraries and alternative education systems.

140. It is important to mention the misuse of certain media, particularly the written word, through the failure to respect the status of children, as governed by the Protection of Children Act, by the unhealthy presentation or exploitation for commercial purposes of news relating to indecent acts or offences involving adolescents.

C. Freedom of thought, conscience and religion

141. The Nicaraguan Constitution provides that all persons have the right to freedom of conscience and thought and freedom to profess or not to profess a religion (see annex III).

142. Most Nicaraguans are Catholics. Over the past decade there has been a very marked polarization between the hierarchical Catholic Church and the so-called People's Church (Iglesia Popular), and certain fundamentalist sects have been disbanded and expelled. With the triumph of democracy spearheaded by Mrs. Chamorro, such polarization has diminished, and a number of new sects have emerged, requesting recognition of their legal personality so as to be able to operate lawfully.

D. Freedom of association and of peaceful assembly

143. Nicaraguans enjoy complete freedom of association and freedom to assemble peacefully without prior permission, as well as freedom to hold civil gatherings and rallies in accordance with the provisions of the law (see annex III).

144. There are in Nicaragua 23 registered associations working to protect children which are grouped in the Coordination Body for Non-governmental Organizations Assisting Children. Not all these associations yet have legal personality. There are also substantial numbers of people working for the benefit of children as members of various specialized associations such as the

Luis Alfonso Velásquez Children's Movement and the Street Children's Movement. Another group coordinated by the social welfare system has now been set up and has launched a programme to publicize and uphold the rights of the child, particularly in what is known as the "informal" sector, where minors engage in street selling or adopt other strategies for survival.

E. Protection of privacy

145. Nicaraguan legislation suitably incorporates these universal principles (see annex III).

146. As Nicaragua is still in the initial stages of the democratic process and the rule of law is still fragile, in our view, difficulties remain in giving true meaning to this concept. There are still numerous abuses, ranging from searches of homes to the murder of entire families, in which children are not spared. These are a hold-over from the earlier wartime period. It should be noted that these abuses are caused by re-armed irregular units that are still active in the mountain areas that were the scene of warfare.

147. Attention is also drawn to the fact that children are constantly being abused in the media, where they are used for news purposes, to the detriment of their personality and status as minors. This problem has been raised at seminars with journalists, who have stated that it is the media editors and/or owners who are ultimately responsible for this harm to the dignity of children and of their parents, by making their reports sensational or "headline" news. Also responsible are the parents of children and the Directorate for the Protection of Minors, who fail to lodge complaints or follow up cases.

F. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

148. Nicaraguan legislation clearly specifies that no Nicaraguan shall be subjected to such treatment. This must of course be understood as applying with all the more force to children and adolescents. Every child accused or found guilty of committing an offence is entitled to be treated in a way that fosters in him or her a sense of dignity and of the worth of the human person and strengthens respect for the child. Account must always be taken of the child's age and the child must be made to see the importance of constructive reintegration into society.

149. Under the Criminal Code, the fcllowing are exempt from criminal liability:

(a) Persons under 10 years of age;

(b) Persons over 10 and under 15 years of age, unless it is clear that they acted knowingly.

Offending minors must not be placed in Social Training Centres (ordinary prisons). They must be cared for in centres functioning under the responsibility of specialized bodies (see annex III).

150. The Government of Nicaragua has not so far been able substantially to improve the system of care for offending minors, which it inherited from the previous Government. There are no transit centres where minors may stay in appropriate conditions while their case is being considered; nor is there a diagnostic or custody centre. In Managua, INSSBI operates a centre that is well managed and takes a suitable approach, but this centre's capacity is very limited, considering the number of cases to be dealt with.

151. The normal procedure for dealing with children or adolescents having such problems begins in the police stations to which they are brought. The parents or guardians of the minor are usually ordered to appear so that a practical solution to the situation may be found. The problem is more difficult in the case of "street" children or adolescents, when the parents or relatives are delinquent adults, or the mother has taken to alcohol or prostitution. A large proportion of minors in these circumstances are repeat offenders and the only option open to the police - because of the lack of appropriate centres - is immediately to release them, without having been able to solve anything and simply entering on a control card the further offence involved or any other modus operandi of the minor that has been observed or is the subject of a complaint.

152. It should be noted that, owing to the lack of sufficient training in children's rights and the inadequate allocation of funds for this problem, the National Police sometimes commit infringements of the rights of the child. Moreover, there are constant reports of minors committed to adult prisons for purposes of intimidation or because there is no suitable place to look after them.

153. A more general point is that many children are subjected to cruel verbal or physical treatment by their own parents or by employers or exploiters who compel them to break the law. They are also subjected to such ill-treatment by other bigger and stronger offenders.

154. In all cases, children accused of breaches of the law are entitled to trial by an impartial and independent tribunal. They must have access to legal assistance, be allowed time and facilities for the preparation of their defence and be deemed innocent until they are proved guilty in accordance with the law.

155. Because of particular provisions of Nicaraguan law, many young offenders between the ages of 15 and 18 are held in ordinary prisons, where they are exposed to various harmful influences. Amendments to the law will have to provide for treatment that is more suitable for their juvenile status. Detention, custodial sentencing or imprisonment of adolescents must be employed only as a last resort when they have been convicted of an offence.

IV. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance and responsibility

156. The Nicaraguan Constitution makes both parents equally responsible for the care of their children. The parents must see to the maintenance of the home and the general upbringing of the children, who in turn, have an obligation to respect and help their parents (see annex IV).

157. As a result of the warfare during the 1980s, the concept of the family clearly underwent a change for many citizens, many family ties being broken by the constant military call-ups and the emigration of many Nicaraguans. Thousands of families virtually broke up, having lost their property, their way of life and the family environment. This break-up of the family seriously affected the upbringing of the children. Many of them were orphaned or abandoned and a large number turned to the physical and social risks that lead to drug addiction, prostitution and offences against personal security.

158. This same state of confusion, combined with the grave economic crisis the country has undergone, has caused parents to neglect their responsibility for the protection, feeding and physical, psychological and educational upbringing of their children. In Nicaragua the family leaves the responsibility for bringing up, educating, training and supporting the children to the mother. As a result, the upbringing of children has become incomplete owing to the absence of a father figure or because of a marked machismo which views bringing up children as a matter for the mother and for the mother alone.

B. Family reunification

159. The Constitution of Nicaragua states that the family is the basic unit of society and is entitled to protection by society and by the State (see annex IV). Nicaraguans have a right to establish a family.

160. Family relations are based on respect, solidarity and absolute equality of rights and responsibilities as between men and women.

161. Children who, for any reason, are deprived of a family environment are entitled to special protection from the State, which furnishes them with allowances and care as an alternative to family care. This family protection may include, inter alia, ensuring that the child maintains a periodic, personal and direct relationship with his or her father and/or mother, even if the latter live abroad. The State shall guarantee to the child that these relationships are not hampered at any time by problems of migration, except for the purposes of ensuring that the minor, social security or public order are protected.

162. For cultural, sociological, moral, ethical and economic reasons, regardless of the law itself and the way it is applied, the Nicaraguan family has traditionally lacked an appropriate practice of "family reunification". A feature of the last 13 years of our history has been the marked deterioration of the family unit, typified by the rather fragile conception of the family and of marriage and by a certain lack of respect for relations between parents and children. This serious phenomenon of Nicaraguan

society, has been rendered more acute because of the liberationist and socialist tendencies that prevailed under the previous Government, and it is made stronger by the thousands of children, adolescents and adults who had to emigrate to other countries, particularly the United States of America, and have now returned to Nicaragua.

163. Nicaraguan families have broken up as a result of political conflicts and warfare. In the rural areas, where the nuclear family was more traditionally to be found, thousands have had to move to other regions or to emigrate. The towns became overcrowded and, since entire families could not migrate, thousands of children and adolescents are, even today, unable to be reunited with their families.

164. Statistical data of the Ministry of the Interior and computerized records of the Migration and Aliens Directorate that have been compiled by the National Commission for the Protection of Nicaraguan Children show that, since Mrs. Violeta de Chamorro became President, 31,276 children up to 16 years of age and 37,247 adolescents and young people between the ages of 17 and 24 were repatriated to Nicaragua during the period from 1990 to December 1991. These are the numbers recorded at frontier posts and do not include the large number who left and entered Nicaragua with great difficulty at uncontrolled frontier points.

165. The family reunification made possible by the victory of Mrs. Chamorro has been without precedent in the country's history. Nevertheless, owing to the problems of the post-war period, thousands of Nicaraguans have not been able to be reunited with their family, for financial reasons, because they have a new attitude towards family relationships or even because they have adjusted to certain aspects of other cultural patterns.

C. Recovery of maintenance for the child

166. Failure of the father to assume his responsibilities is one of the most common reasons why families may remain unprotected, lacking food and affection. In a few cases also this situation is attributable to failure on the part of the mother. However, the State has been introducing legislation to protect children in these circumstances: article 73 of the Labour Code (CT) and the recently adopted Maintenance Act (see annex IV).

167. Administrative implementation of the law, namely article 73 of the Labour Code, is ensured by the Department for Minors and the Family of the Nicaraguan Institute of Social Welfare. Children may receive a maintenance allowance from one of the parents by fulfilling certain simple requirements which do not cost them anything. The social welfare authorities direct the State or private enterprises to make the necessary monthly deductions which are then received by those in charge of the children. At the judicial level, the Maintenance Act is implemented by means of the "recovery of maintenance" procedure. The application for recovery is submitted to the appropriate district civil court. The cost of the proceedings is borne by the defendant if the judgement is against him.

168. The table below shows particulars of attachments for recovery of maintenance of children applied for through the INSSBI and the Ministry of the Interior. The amounts involved are held by the Ministry of Finance, which then makes them payable to the beneficiaries.

ATTACHMENTS FOR MAINTENANCE IN 1992

INSTITUTION	NUMBER OF PERSONS	AMOUNT IN CORDOBAS
Ministry of Defence	900	185 664.36
Ministry of Health	1 704	361 641.80
Ministry of Education	1 212	198 119.28
Ministry of the Interior	11 616	1 988 949.48
Other institutions	1 308	358 055.52
TOTAL for the year 1992	16 740	3 092 430.44

D. Separation from parents, children deprived of a family environment and periodic review of placement

169. Children and adolescents who have been institutionalized must be protected and educated with great care and efforts must be made to ensure that they are kept in centres for as little time as possible, since their homes and families are regarded as the best places for their protection, development and upbringing.

170. Our laws contain the following provisions for this type of protection:

(a) The State must establish centres to provide proper care;

(b) When a child or adolescent is in imminent danger or has been abandoned, the Director for the Protection of Minors must find a home or place where he or she will be protected;

(c) Foreign children receive the same treatment as Nicaraguan children.

171. The Criminal Code also stipulates that anyone who abandons a child under 7 years of age is liable to a prison sentence, which may be for between 5 and 10 years if the minor dies as a result of being abandoned (see annex IV).

172. Although the past decade's war left orphans, the main problem that leads to the institutionalization of children is the abandonment of the home and family by one of the parents; this restricts the children's protection, education and development. In some cases, they are abandoned completely or left in the care of relatives, especially the grandparents, who will sooner or later have problems in looking after them.

173. Another perhaps smaller group is the children who are separated from their parents as a result of the parents' separation or divorce or problems of alcoholism, ill-treatment, drug addiction, prostitution and indecent behaviour.

174. It is impossible for government institutions to deal with this serious problem, which is characteristic of the personal and family conduct or behaviour of Nicaraguans and Latin Americans in general. Re-educating and making the parents liable to penalties for their conduct are needed to deal with this situation.

175. The State may deal with the most serious cases, in cooperation with non-governmental organizations, particularly those staffed by members of Catholic and evangelical religious orders.

176. There is another group of children and adolescents who are separated from their families as a result of behavioural problems and who need more specific treatment, with all due respect for their rights. Unfortunately, there are no centres which deal with such problems and no protection centres where minors are diagnosed and treated accordingly.

177. The most recent information on the question of institutionalized children has been collected by CAPRI, a non-governmental organization, which is conducting research on this question in cooperation with UNICEF. The conclusions of the research include the following:

(a) The best environment for the development of the child is his family and home, but, in view of the many needs of children, the centres have played a very important role;

(b) The State has no direct technical or material influence on the 21 private centres;

(c) There are 1,575 children in placement centres throughout the country. Compared with the more than 16,000 orphans left by the war and not counting other reasons for admission, this figure is very low;

(d) The centres usually deal with the basic aspects of survival and mainly overlook socio-affective problems;

(e) It is recognized that State centres have more experience, but no one is promoting exchanges of experience with private centres;

(f) Although conditions are acceptable, these children are, in view of their situation, regarded as being in the category of children in especially difficult circumstances;

(g) In view of the reasons for admission and release, professional work with the family and even with the community has to be done during the child's placement;

(h) It is regarded as a complex matter to refer to the violation of the rights of children in centres, since their rights have been violated in the context of their families and the State.

178. The following table provides general information on placement centres in Nicaragua:

NAME OF CENTRE	DEPARTMENT	CITY	CHILDREN CARED FOR		
			MALE	FEMALE	TOTAL
ALDEA S.O.S. ESTELI	ESTELI	ESTELI	63	63	120
MARIA AUXILIADORA	ESTELI	ESTELI	42	-	42
MAMA MARGARITA	MADRIZ	SOMOTO	-	24	24
SAN RAFAEL DE CUSMAPA	MADRIZ	CUSMAPA	20	-	20
FINCA ROMA (PATRIARCA)	LEON	NAGAROTE	35	5	40
HOGAR LA RECOLECCION	LEON	LEON	-	50	50
HOGAR SAN JOSE	CHINANDEGA	CHINANDEGA	-	52	52
HOGAR DEL NIÑO	CHINANDEGA	CHINANDEGA	156	-	156
DOMINGO SABIO	MANAGUA	MANAGUA	50	-	50
SAN JOSE (F.P.F.)	MANAGUA	MANAGUA	12	-	12
CENTRO JUVENIL ZACARIAS GUERRA*	MANAGUA	MANAGUA	209	-	209
NIÑOS MARTIRES POR LA PAZ*	MANAGUA	MANAGUA	22	45	67
ROLANDO CARAZO*	MANAGUA	MANAGUA	53	43	96
CASA NAZARETH	MANAGUA	MANAGUA	-	40	40
CENTRO LUMEN CHRISTI	MANAGUA	MANAGUA	-	14	14
CASA BERNABE	MASAYA	NINDIRI	91	90	181
HOGAR DEL NIÑO DOUGLAS	MASAYA	MASAYA	20	20	40
HOGAR ALEGRIA	GRANADA	GRANADA	-	28	28
ACADEMIA SANTA MARIA	CARAZO	DIRIAMBA	-	70	70
HOGAL EL SOCORRO	CARAZO	JINOTEPE	-	50	50
ALDEA S.O.S. JUIGALPA	CHONTALES	JUIGALPA	23	31	54
HOGAR GUADALUPE	MATAGALPA	MATAGALPA	-	20	20
HOGAR ESCUELA DE EDUC. ESP.	MATAGALPA	CIUDAD DARIO	55	71	126
CENTRO EL VERBO	ZELAYA	PUERTO CABEZAS	2	6	8
TOTALS			853	722	1 575

* Placement centres operated by INSSBI.

E. Adoption

179. Nicaraguan legislation regards adoption as a right in which the best interests of the child must be paramount. This right is regulated by the Adoption Act, which establishes the necessary guidelines and procedures (see annex IV).

180. The Nicaraguan Adoption Act is one of the strictest of all, at least by comparison with others in the Central American region, since it establishes conditions that are very difficult to meet, above all for citizens of other nationalities, especially if they live abroad. The process of selecting the child is also very restricted.

181. There are two procedures. When the child is already living with a family for special reasons and his de facto adoptive parents want to be his de jure parents, the INSSBI multidisciplinary team examines the application and the child's current situation. If the outlook for the child is favourable, the adoption takes place as such. The other case is that of applications by nationals or foreigners who, for very personal reasons, wish to adopt a child. In this case, they have to fulfil all the requirements. All the information is processed and studied by a professional multidisciplinary team from the Department of Minors and the Family which is chaired by the Director for the Protection of Minors, and the case is then referred to the National Adoption Commission, which considers and discusses the adoption and decides whether or not it should take place.

182. At present, the National Commission for the Protection of Nicaraguan Children is thinking of amending the Act to simplify procedures and fit them into a new social approach designed to protect the best interests of the child.

183. The INSSBI Department of Minors and the Family stated that an average of 86 children were adopted during the period under review and 20 per cent of these cases involved adoptions by foreigners living in Nicaragua.

F. Illicit transfer and non-return

184. Trafficking in children is not established as an offence in Nicaragua, but it is not possible to state categorically that it does not exist (see annex IV).

185. With regard to offences with similar characteristics, the Criminal Code provides for penalties ranging from one to six years' imprisonment for kidnapping or abduction, which are committed for the purpose of obtaining ransom money.

G. Abuse and neglect, including physical and psychological recovery and social reintegration

186. The Protection of Minors Act provides that the State has a protective, preventive and corrective function for all children, particularly those in special circumstances. The Criminal Code also provides for legal and social protection (see annex IV).

187. The country has virtually no suitable social welfare and educational units and centres. In cooperation with some private centres and INSSBI, three Ministry of Education centres are doing very basic work of this kind, except for the Zacarías Guerra Guidance Centre, which is at the national level, but it covers only a limited population of about 209 minors.

188. There is a need to establish centres and invest in the prevention of juvenile delinquency at the national level.

189. The non-governmental organizations assisting children are working partly along these lines, but not entirely, so that conditions for the proper care of children and young people with this problem have not been met.

V. BASIC HEALTH, WELFARE AND HEALTH SERVICES

A. Mother and Child Programme

190. The Constitution states that all Nicaraguans are equally entitled to health and that the State must create basic conditions to foster good health and recovery and rehabilitation. It is for the State to organize and carry out health programmes, services and activities and promote popular participation for that purpose. Citizens are required to abide by any measures taken in health matters.

191. The Ministry of Health (MINSA) Organizational Act stipulates that the Ministry must provide health care and take preventive measures on a general or a group basis. Article 7 of the Municipalities Act (Act No. 40 of 16 June 1988) states that the municipalities must cooperate in regard to the public health of minors and adults, in such matters as public hygiene and the collection, removal and treatment of solid waste (see annex V).

192. Mrs. Chamorro's Government has pioneered the introduction and development in the Central American area of Local Integral Health Care Systems (SILAIS). They are a basic strategy to redirect and reorganize the health sector and they enjoy high priority in the many tasks assigned to the National Health System.

193. At the present time, at the central level the Ministry of Health is in charge of planning, legislation and evaluation of activities and it has nine Regional Departments responsible for planning, administering and directly assessing the service units. At the local level, there are 143 Municipal Health Services, in 91 health areas. The Ministry's first priority is the Mother and Child Programme.

194. The hospitals are administered directly by the regions. The Ministry's network of services has approximately 906 health units, including 30 hospitals, two polyclinics, 25 health centres with beds, 109 health centres without beds, 242 medical posts and 498 health posts. One of the State's most serious problems in regard to the most vulnerable part of the population is the lack of suitable medical services and the difficulty in meeting the population's needs.

195. Mrs. Chamorro's Government was faced with great shortages and obsolete infrastructures, a critical situation that was compounded by an inefficient social security policy. Both the health and social security systems are now seeking new alternatives, including the possibility of diversified services, in other words, some may be charged, others may be semi-subsidized and others may be completely free for priority sectors.

196. In 1992, the Ministry of Health encountered problems which have affected services to improve the health of the population, chiefly:

(a) The effects on vulnerable groups: mothers, children, the disabled and the elderly, and above all infants under one year of age, among whom there is a high death rate largely because of diarrhoea and respiratory and perinatal diseases;

(b) The increase in the number of cases and the emergence of incipient epidemics of some contagious diseases. They involve serious health consequences and they are a challenge to the organization of the services and of society;

(c) The deterioration in infrastructures and the inadequate organization of primary and other services, which has an effect on the amount and calibre of the care provided;

(d) The depletion of stocks of essential medical inputs and the poor replacement capacity owing to budget restrictions, something which leads to smaller basic inventories and to shortages in supplying health units;

(e) The pressure on services from the increase in new users, a result of the pacification and disarmament process that is causing greater demand for services.

197. In the light of these problems and in keeping with the objectives and policies of the 1991/96 Health Master Plan, which calls for a process of redirecting activities towards a new National Health System by means of Local Integral Health Care Systems (SILAIS) (viewed as the strategy most suited to the present economic, social and political situation, for the purpose of gradually developing the sector on the basis of the Five Year Action Plan - Human Development, Children and Juveniles), the Ministry of Health, from January through to December 1992, organized medical care for priority groups on the basis of the programmes mentioned below.

B. Child Care Programme

198. This is intended for children under six years of age, regarded as a priority group from birth onwards, and the Programme operates at all levels of medical care. The principal objective is to cut down the death rate among infants under one year of age. The Programme is designed to provide integral medical care, from the moment of birth, under proper conditions, with a watch kept on growth and development (children who are overweight, normal, undernourished or on the verge of undernourishment), and prompt referral and treatment for diarrhoea and acute respiratory and other diseases.

199. In 1992, the coverage was 33.6 per cent of children under five years of age, of whom 63.6 per cent were normal, 21.3 per cent were on the verge of undernourishment and 10.9 per cent were undernourished. The number of medical examinations was 765,741 (53 per cent for infants under one year of age and 47 per cent for children aged one to five) namely an indicator of 1.06 medical checks per child. In addition, 220,539 children suffering from diarrhoea were rehydrated at Oral Rehydration Units (ORUs).

200. According to the National Statistics System (SINEVI) the Programme has led to a drop in the infant mortality rate (under one year of age) with 3,056 deaths in 1991 and 2,708 in 1992, and also a decline in the main causes:

(a) Deaths from acute diarrhoeal diseases fell from 848 in 1991 to 603 in 1992 (since 1991 this has taken second place as a cause of infant mortality);

(b) Deaths from acute respiratory diseases fell from 451 in 1991 to 338 in 1992;

(c) Perinatal causes have remained virtually unchanged, with 1,158 deaths in 1991 and 1,168 in 1992. Since 1991 these causes have accounted most for infant mortality and have more to do with the circumstances and events surrounding the newborn child.

Another result is that deaths among children from one to four years of age fell from 726 in 1991 to 590 in 1992.

C. Expanded Immunization Programme

201. This Programme is also intended for children under six years of age, to protect them against immuno-preventable diseases. The aim is to achieve the maximum coverage.

202. An attempt was made to achieve universal coverage for vaccinations against polio, diphtheria, whooping cough, tetanus and measles, by further systematic vaccination and by holding national vaccination days. The vaccinations were as follows:

(a) BCG (against tuberculosis), with 142,679 vaccinations and 88.83 per cent coverage of infants under one year of age;

(b) Against polio, with 1,505,620 vaccinations and 84.34 per cent coverage of infants under one;

(c) DPT (diphtheria, whooping cough, tetanus), with 673,644 vaccinations, an overall coverage of 24.06 per cent and 70.06 per cent coverage of infants under one;

(d) Against measles, with 233,758 vaccinations, an overall coverage of 27.4 per cent and 69.8 per cent coverage of infants under one;

(e) DT (diphtheria and tetanus), with 58,297 vaccinations and 9.6 per cent coverage;

(f) TT (tetanus toxoid), with 982,085 vaccinations of children over 10, women of child-bearing age and pregnant women.

D. "Motherhood without risk" Programme

203. This is intended chiefly for pregnant women, with the emphasis on high-risk pregnancies. The main aim is to cut down maternal mortality, promoting motherhood without risk, which means early detection and referral of high risk cases, monitoring and suitable care during the birth and puerperium, and improved out-patient care, with medicines for risk diseases, sexual education and prevention of high-risk pregnancy.

204. In 1992, there were 347,048 prenatal examinations, including 167,438 (48 per cent) first-time examinations, with an 86.24 per cent coverage of all pregnancies. The average was 1.8 examinations per pregnancy.

205. In addition, there were 51,479 examinations during the puerperium, for an indicator of 0.3 examinations for each woman in the puerperal period; 319,261 fertility examinations in family planning services, for an indicator of 0.34 examinations for each woman of child-bearing age and 63,413 smear tests for cervical-uterine cancer, for an indicator of 0.07 tests per woman.

206. However, there is a high number of maternal deaths, with an increase from 88 in 1991 to 112 in 1992, and the causes involved toxaemia during pregnancy, haemorrhage during childbirth, direct obstetric causes and miscarriage. It will be seen that most of these causes are related to the birth and are easy to tackle. The increase in the figures for maternal mortality might be attributable to the increase in the coverage of SINEVI's system of records.

207. Nicaragua has Central America's lowest indexes for water and sanitation, since 44 per cent of the population does not have access to drinking water, and in the urban area it is available to only 77 per cent. In August 1992, the sewerage system reached only 31 per cent of the population.

208. Since 1990 there has been a slight increase in water supply coverage, from 55 to 56 per cent, as a result of work on 241 urban and 246 rural facilities.

209. The percentage of the population served by the sewerage system fell from 32 per cent in 1990 to 31 per cent in 1992, although the number of inhabitants served rose by 19,109 when 2,999 homes were connected with the system.

E. Disabled children

210. Article 1 of the Health Inspection Regulations states that the principal aim of health promotion and treatment and environmental health control is to maintain basic conditions of hygiene that will guarantee continued improvement of the population's health.

211. The Constitution stipulates that the State shall establish programmes for the disabled, for physical, psycho-social and vocational rehabilitation and to place them on the labour market.

212. The Mother-Father-Child Relations Act establishes that it is the joint duty of the father and the mother to look after and bring up and educate their children under legal age.

213. For the purposes of dissolution of marriage, if the parents of a disabled minor separate, the decree shall clearly state who is to have custody and care of disabled minors (see annex V).

214. It can easily be seen that another period in the life of the nation called for care of another group of the population, with little attention to children so far as rehabilitation is concerned. However, a firm decision has been taken to engage in activities to provide integral care for disabled children. For this reason, on the basis of the new Integral Health Scheme, the Ministry of Health, under the National Rehabilitation Programme and inter-programme action, is establishing a horizontal system which, after identification of the situation regarding disabled children, will consist of the following:

(a) Quantitative-qualitative identification of the disabled population;

(b) Integral care and prevention programme;

(c) Community programmes;

(d) Information programme connected with the problems of disabled children.

215. A pilot project is now being carried out in two districts of Managua, District I, with a population of 70,000 people, 44 per cent of which are under 15 years of age, and District II, with a population under 15. This project is being carried out by the Ministry of Education, Ministry of Health, INSSBI and the Los Pipitos Association of Parents of Disabled Children.

216. The programme is intended for people with physical disabilities and the purpose is to provide comprehensive care. Preventive activities and rehabilitation and reintegration of the disabled have been strengthened by organizing health services and arranging for social, community and family participation. Human resources have been trained and the requisite teams and medicines have been supplied for rehabilitation purposes. The manufacture of prostheses has also been strengthened.

217. Community-based physiotherapy is used for comprehensive rehabilitation. This is done under the National Rehabilitation Programme. There are no proper statistics about the disabled but, on the basis of WHO estimates, 7 per cent of the country's population suffer from some disability and 3 per cent are in need of some kind of care, for which purpose the aim has been to cover this 3 per cent (approximately 40 per cent of the disabled population).

VI. LEISURE AND CULTURAL ACTIVITIES

218. The Constitution states that all Nicaraguans are entitled to sport, physical education and recreation. The State must encourage sport and physical education by organized mass participation of the people. This is to be done under special programmes and projects. It is incumbent on the State to rescue, develop and strengthen national culture on the basis of the creative participation of the people, and the State must support all expressions, whether collective or individual, of the nation's culture. Artistic and cultural creation is free and without any restrictions. Cultural workers are fully entitled to choose their modes of expression. The State shall supply them with the requisite means to create and publicize their works and protect their royalties (see annex VI).

219. As far as children are concerned, participation in sport, culture and leisure activities is handled by the Nicaraguan Sports Institute (IND), the Nicaraguan Cultural Institute (INC), the INSSBI Human Development Department, the Ministry of Education and the activity of NGOs assisting children and adolescents. To maintain and develop the health, strength and physical abilities of children, the IND encourages sports, thereby getting rid of harmful habits among children and also building up companionships and a high degree of performance.

220. The National Commission for the Protection of Nicaraguan Children has been promoting the Sports Programme for Life. This is a programme for the most vulnerable sectors, to support the communities and make sure that their children and adolescents have fewer opportunities to live a life at risk and for them to learn to find and share other interests - cultural, artistic and ecological.

221. Furthermore, the Ministry of Education also organizes various group activities, arranging nationwide meetings. INSSBI, with its offices in the Departments and in the 12 areas of the capital also organizes affordable recreational and sports activities.

222. The non-governmental organizations assisting children, especially the Luis Alfonso Velásquez Children's Association, with its various offices in some Departments in the country and in Managua has artistic groups and sports teams which, with the State-run activities, make for average coverage of the population, but there is a great shortage of resources to introduce broader programmes and projects.

223. In the artistic field, the INC arranges some special children's programmes in the Children's Theatre, held every week at the Rubén Darío Theatre. A Youth Symphony Orchestra has been set up and there are many other symphonic orchestras in various departments. The plastic arts are covered by the National School of Fine Arts, where there are many children and adolescents attending regular and part-time courses.

224. In the-two year period under review in this report, the Nicaraguan Sports Institute built for children over 16 years of age a sports complex in Managua for handball, basketball, mini-basketball and volleyball. A modern stadium for children's baseball has been built, along with two swimming pools and a football pitch.

225. In all these and other matters explained below, the IND provides technical assistance, sports equipment and infrastructure and also does so for disabled children, children in institutions and street children.

226. The following table provides data on sports practised in Nicaragua.

SPORTS FACILITIES IN NICARAGUA, BY SPORT AND BY LOCATION

SPORT	MANAGUA	ESTELI	CARAZO	RAAS	RIVAS	GRANADA	JINOTEGA	TOTAL
Chess	40	50						90
Athletics	140							140
Basketball	400	129	30	130	25		64	778
Handball	116							116
Baseball	121	138	289					548
Boxing	160					42		202
Fencing	134							134
Football	60	80	120					260
Judo	59	77						136
Wrestling		36						36
Swimming	161							161
Tennis/ table	10							10
Volleyball	15		70					85
TKD		85						85
14	1 416	595	509	130	25	42	64	2 781

Source: IND.